IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 2813 OF 2004
IN
FIRST APPEAL NO. 1338 OF 2002

Shri. Abdul Gani Khatri ... Applicant

Vs.

R.V. Anjurkar ... Respondent

Ms. Gauri Godse for Applicant.

Mr. R.S. Apte i/by Mr.M.S. Lagu for Respondent.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : SEPTEMBER 03, 2004
P.C. :

1. Considering the facts and circumstances and the order dated 29.11.2003, we think it proper that the application can be allowed on the appellants furnishing a bank guarantee in the sum of Rs. 10 lacs. within the period of eight weeks from today.

Application stands disposed of accordingly.

2. On behalf of the Respondent, no doubt it was vehemently urged that the entire amount ought to be secured. However, considering the facts and circumstances of the matter and the prima facie finding by the earlier Division Bench, we think it

appropriate that the ends of justice will be met by passing the following order :

3. Application is allowed on the appellants furnishing a bank guarantee in the sum of Rs. 10 lacs. within the period of eight weeks from today. Application stands disposed of accordingly.

4. Authenticated copy of this order be issued to the parties.

(F.I. REBELLO,J.)

(ANOOP V. MOHTA,J.)